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REMARKS

Applicant wishes to thank the Examiner for the Telephone Interview which was held on September 26, 2005 between Examiner Curs and Xiang Lu (Reg. No. 57089). The proposed amendments to claims 1 and 6 were discussed. It is the Applicant's understanding that at the conclusion of the interview the Examiner indicated that the limitations of the amended claims 1 and 6 overcome Sharma.

Applicant has corrected clerical errors in the paragraphs beginning on page 6, line 25, and on page 7, line 20, respectively. Applicant has further corrected a clerical error in the title of the present application.

Applicant has amended claims 32 and 40 by providing proper punctuation, as request by the Examiner.

Applicant has amended claims 1 and 6 to better describe the invention. Support for the amendment may be found, for example, at page 4, lines 16 to 22.

The present application contains claims 1-20, 24, and 28-43.

The Examiner allowed the subject matter of claims 10-20, 24, 28, 36-39 and 41-43.

35 U.S.C 112 Rejection

The Examiner objected to claim 5 of the present application as being indefinite, stating that modulating a wavelength is inconsistent with claim 1 where the first group of wavelengths are unmodulated.

Applicant respectfully requests reconsideration in view of the following comments.

Claim 1 claims a limitation of "generating a first plurality of unmodulated optical wavelengths at a first location in the network". Claim 5, which ultimately depends on claim 1, further claims the limitation of "modulating a wavelength of the first group of wavelengths at the first location." A person skilled in the art would readily understand that a wavelength may be modulated in a further step after the unmodulated wavelength has been generated.

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Hence, it is respectfully submitted that claim 5 meet the requirements under 35 U.S.C. 112, second paragraph. Applicant respectfully requests the Examiner to withdraw the rejections.

35 U.S.C 102 Rejections

The Examiner rejected claims 1-4, 6-9, 32 and 349 under 35 U.S.C. 102(b) as being anticipated by Sharma, (US Patent No. 5,717,795), hereinafter referred as Sharma.

Claims 1 and 6 as amended are method and apparatus claims directed to: generating a first plurality of unmodulated optical wavelengths at a first location in the network; selecting a predetermined one wavelength of the first plurality of unmodulated optical wavelengths; transmitting the predetermined one wavelength to a second location; and generating a second plurality of unmodulated optical wavelengths at a source of a second location in the network with reference to the predetermined one wavelength.

In Sharma, as discussed from column 8, line 59 to column 9, line 32, in Figure 15 and throughout the specification, "a multi-wavelength light source A16" emits "lights of wavelengths λ_1 to λ_n as the optical sources of the terminal nodes C1 to Cn" (column 9, lines 26 to 28). Therefore, at least two limitations of claims 1 and 6 of the present application are not taught or suggested in Sharma:

1. "... generating a second plurality of unmodulated optical wavelengths at a source of a second location in the network ...". It should be apparent to a person skilled in the art that in Sharma, for example at node C1, the optical wavelengths are multiplexed from the unmodulated wavelengths which are directly passing through C1, not generated *de novo*, in addition to the add-drop wavelength such as λ_1 .
 2. "... with reference to the predetermined one wavelength". As described at page 4, lines 11 to 22 of the present invention, a reference lambda carrier is to other sources in the network for generating multi-lambda carriers with reference to this (reference) carrier. The unmodulated wavelengths exiting C1 are not generated at C1, therefore, it cannot be generated with reference to a reference carrier at C1.
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For at least these reasons, the Examiner has failed to establish a *prima facie* case for anticipation of Applicant's claims 1 and 6 under 35 U.S.C. 102(b). Applicant further notes that the dependent claims are novel at least by virtue of their dependencies. Withdrawal of this rejection is requested.

35 U.S.C 103 Rejections

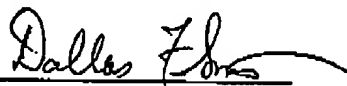
The Examiner rejected claims 33 and 35 under 35 U.S.C. 103(a) as being unpatentable over Sharma.

Claim 33 is dependent from claim 32, and claim 35 is dependent from claim 34, respectfully, which are dependent on claim 6.

As discussed above, Sharma does not teach or suggest the limitations in amended claim 6. It is thus respectfully submitted that the invention taught and defined herein by the amended claims embodies patentable subject matter.

Applicant respectfully requests reconsideration of this application, based on the foregoing amendments and remarks.

Respectfully Submitted,



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